

Southern District of New York

John DeRaffele  
Plaintiff

RECEIVED  
SDNY PRO SE OFFICE  
7-21-CV-06033-PMH  
2022 MAY 10 AM 10:20

William & Williams et AL  
Defendant

Attendant in  
Support

John DeRaffele being duly sworn deposes and says:

- (1) I am the Plaintiff in the above Action.
- (2) on or about March 10, 2022, I filed a Motion to Reopen the above case since a stipulation was not signed by the parties to resolve the issues.
- (3) on or about April 2022 the Court so ordered that the defendant file his Motion to dismiss by May 2, 2022 and Plaintiff reply by May 20, 22.
- (4) on or about April 29, 2022 Plaintiff e-mailed the defendant's attorney requesting that a copy of the Motion be e-mailed to Plaintiff on May 2, 2022 and Plaintiff attorney replied he would e-mail the motion.
- (5) Today, May 6, 22 I have not received nor has the defendant filed his Motion to dismiss that was Court ordered by May 2, 2022 which has since past.

[6] I believe the defendant violated the Court order and in so doing, I am asking the Court to deny or dismiss any Motion to Dismiss by the defendant since he willfully violated the so order date of May 2, 2022 without asking for additional time from the Court or from the Plaintiff.

Wherefore, I am asking the Court to deny any future Motion to Dismiss by the defendant or dismiss any future Motion to Dismiss and allow this case to move forward to discovery and a Trial.

Sworn To This 6<sup>th</sup> day of May 2022

Joseph Deraffele  
Notary Public

John DeRaffele  
Plaintiff

JOSEPH DERAFFELE  
Notary Public, State of New York  
No. 01DE4988573  
Qualified in Westchester County  
Commission Expires November 12, 2025

305 North Ave  
New Rochelle, NY 10801  
914-420-3962

TO DAVID STEIN  
1440 Broadway  
Suite 6090  
N.Y., N.Y 10018  
212-308-3444

Sworn to and Subscribed  
before me on the 6th day  
of May 2022.

Joseph Deraffele Notary Public

JOSEPH DERAFFELE  
Notary Public, State of New York  
No. 01DE4988573  
Qualified in Westchester County  
Commission Expires November 12, 2025